

**IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL.**

Writ Petition No. 317 (S/S) 2007

1. Gaje Singh S/o Sri Shaukeen Singh,
 2. Nattu S/o Sri Sukhan Singh,
 3. Rishipal S/o Sri Parsuram,
 4. Jeet Ram Shaile S/o Sri Fateh Ram,
 5. Rakesh Lal S/o Sri Grader Lal,
 6. Baisakh Singh S/o Sri Jagat Singh,
- All are presently working at the office of Project Manager,
U.P. Rajkiya Nirman Nigam, Ltd. Srinagar,
Unit I, Pauri Garhwal, Uttarakhand, ...Petitioners.

Versus

1. U.P. Rajkiya Nirman Nigam Ltd. Through its ,
Managing Director, Vishwaraiya Bhawan,
Vibhuti Khand Gomti Nagar, Lucknow.
2. The Project Manager,
U.P. Rajkiya Nirman Nigam Ltd. Srinagar,
Unit-I, Pauri Garhwal. Respondents.

Sri B.P.S. Mer, learned counsel for the petitioners,
Sri Anil K. Joshi, learned counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri B.P.S. Mer, learned counsel for the petitioners
and Sri Deep Joshi, holding brief of Sri Anil K. Joshi, learned
counsel for the respondents.

By means of this writ petition, the petitioners have prayed
for the following reliefs:-

- i. Issue a writ, order or direction in the nature of
mandamus commanding the respondents to pay the
other allowances (medical allowance, house rent
allowance, city compensatory allowance), which are
being paid to other muster roll employees,
- ii. Any other order or direction which this Hon'ble Court
may deem fit and proper in the circumstances of the
case, may also be passed,

iii. Award to cost of petition.

Stand of the petitioners is that they are working as Class IV employees in the muster roll with the respondent's Department. The other similarly situated muster roll employees are getting various allowances from the Department whereas; the petitioners are not being paid the allowances. The action on the part of the respondents amounts to hostile discrimination. Raising all their grievances, the petitioners have already moved representation before the Managing Director, Uttar Pradesh Rajkiya Nirman Nigam, Lucknow on 08.02.2007, contained as annexure no. 4 to the writ petition, however the respondents did not pay any heed towards it.

During the course of arguments, learned counsel for the petitioners has submitted that the respondent no. 1 may be directed to take decision on the representation of the petitioners dated 08.02.2007 within the period prescribed by the Court.

The prayer is innocuous.

Accordingly, I direct the respondent no. 1 to take decision on the representation of the petitioners dated 08.02.2007 annexed as annexure no. 4 to the writ petition, within a period of six weeks from the date of production of certified copy of this order.

With these directions, the writ petition is finally disposed on. No order as to costs.

(M.M. Ghildiyal, J.)

April 4, 2007:

NCM: